



March 5, 2003

Mayor:  
DAN ALBERT

Councilmembers:  
THERESA CANEPA  
CHUCK DELLA SALA  
CLYDE ROBERSON  
RUTH VREELAND

City Manager:  
FRED MEURER

The Honorable Terrance R. Duncan  
Presiding Judge of the Superior Court  
Monterey County  
PO Box 1819  
Salinas, CA 93902

Re: City of Monterey Responses to the Grand Jury 2002 Final Report

Dear Judge Duncan:

Attached are the responses of the City Council of the City of Monterey, as required by Sections 933 (c ) and 933.05 (a) and (b) of the California Penal Code, to the **Findings and Recommendations** in the 2002 Monterey County Grand Jury Report.

The City Council, Monterey's governing body, approved the responses at the following meeting dates:

1. Fluoridation of Drinking Water in Monterey County on February 18, 2003.
2. The Role of the Monterey Peninsula Water Management District was approved on March 4, 2003.

Sincerely,

Dan Albert  
Mayor

Attachments:      1.      Response to Fluoridation of Drinking Water in Monterey County  
                         2.      Response to The Role of the Monterey Peninsula Water Management District

c:      The Honorable Bruce McPherson  
         Monterey County Board of Supervisors  
         The Honorable Jerry Smith, City of Seaside  
         The Honorable David Pendergrass, City of Sand  
         The Honorable Sue McCloud, City of Carmel-by-the-Sea  
         The Honorable Morrie Fisher, City of Pacific Grove  
         California American Water Company

**The City of Monterey Response to 2002 Monterey County Civil Grand Jury Report:  
Fluoridation of Drinking Water in Monterey County**

Following are the City of Monterey's statements regarding the findings and recommendations of the 2002 Monterey County Civil Grand Jury with respect to fluoridation of the drinking water supply.

**Finding #1:** *"Fluoridation of drinking water will provide a positive health benefit to the citizens of the County with the greatest benefit accruing to the most disadvantaged citizens."*

**Response:** The City of Monterey does not have the in-house technical expertise to either agree or disagree with this finding.

**Finding #2:** *"With the possible exception of smaller water systems, start-up and operations costs of drinking water fluoridation are more than offset by cost avoidance in the areas of dental and general health care."*

**Response:** The City of Monterey does not have the ability to analyze this assertion to determine whether we agree or disagree. There are authoritative sources in the dental and water purveyor industries who should be looked to for these answers. At this time, a cost-estimate for the Cal-Am Monterey Peninsula system has not been done. Without a better cost estimate and an idea of the dental costs incurred in the area directly linked to lack of fluoride, a cost-benefit analysis cannot be made. Any cost benefit analysis should also take into consideration the percentage of people within the service area who drink bottled water instead of tap water and would not benefit from this addition to the water anyway.

**Finding #3:** *There are a multitude of water providers and jurisdictions within the County, and there is no coordinated advocacy program joining political leadership and health professions to implement fluoridation of drinking water."*

**Response:** The City of Monterey **agrees** with this finding. There are existing local groups who advocate both sides of the fluoride issue. These groups are generally not backed by local government, but individuals within the dental profession are represented both as advocates for fluoridation and those strongly opposed to it. The Community Water Fluoridation Task Force is a local group in favor of fluoridation. The opposition is represented in many ways, by individuals who have educated themselves on the issues, and by organized groups from across the nation.

**Recommendation #3:** *The Cities of Carmel-by-the-Sea, Del Rey Oaks, King City, Monterey, Pacific Grove, Salinas, Sand City, and Seaside (for areas serviced by CAL-AM) which are served by private providers, seek funding and express public support for implementation of water fluoridation by their water suppliers, and establish a schedule to accomplish these goals.*

**Response:** The City of Monterey believes that the fluoridation issue is really not an issue that should be decided by or otherwise involve local governments at this time. Once costs are determined and funding becomes available to the water purveyors in the County that will be the appropriate time for the City to revisit the issue of implementing water fluoridation.

### **The City of Monterey Response to 2002 Grand Jury Report: Supplement to the mid-Year Final Report on Availability of Water on the Monterey Peninsula – The Role of the Monterey Peninsula Water Management District**

#### **FINDING:**

6. *"The results of the voting on Measure B indicate the desire of the majority of voters within the MPWMD to abolish the water district. The advisory vote on the question 'Should the MPWMD be dissolved?' was 66.5% in favor and 33.5% opposed."*

#### **Response:**

The City of Monterey **agrees** with the Finding.

#### **RECOMMENDATIONS**

1. *"The November 2002 advisory vote of the affected residents should be taken as a mandate and the existence of the MPWMD be terminated by proper political process. That the cities and County mount a joint effort to have their state legislators sponsor a bill in the legislature to dissolve the MPWMD"*

#### **Response:**

Has been partially implemented. The City of Monterey took the lead in calling for the advisory vote regarding the Water Management District. As stated by the Grand Jury, the voters overwhelmingly support the idea of the current District operation being disbanded. The City of Monterey is currently working with other Peninsula cities, within the MPWMD jurisdiction, and has offered suggestions to our State legislators to develop legislation in this session that would amend the Water District enabling legislation in such a way as to replace the current governance structure with a joint powers authority.

2. *"One of the following options be chosen in place of the current MPWMD: A) no new agency, leaving Cal Am to operate as it does in most other areas, under the aegis of the existing state agencies; or B) a joint powers agency with a board of directors comprised of appointees from those same cities and the County."*

#### **Response:**

Has been implemented. The City of Monterey has offered suggestions to our State legislators to develop legislation within this session that would amend the MPWMD enabling legislation in such a way as to replace the current governance structure with a joint powers authority (Option B). This authority would be made up of many of the same entities that manage the Monterey Regional Waste Management District and the Monterey Regional Water Pollution Control Agency.

Although Option A (no new agency) could be workable, the City of Monterey believes Option B is the best direction to go. Option B maintains a role for local land use agencies to ensure the Carmel River and the Seaside basins are appropriately protected, while putting in place a governing body that has the same land use objectives as the agencies responsible for developing the General Plans of each of the jurisdictions.